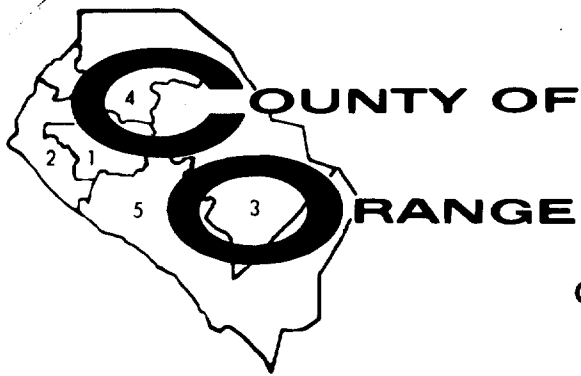


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MAY 28 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

May 27, 1993

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, DC 20554

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MAY 28 1993

FCC MAIL BRANCH

Dear Ms. Searcy:

RE: PR Docket No. 92-235 by the County of Orange, California

The County of Orange, California, respectfully resubmits its enclosed comments on the captioned Docket.

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Before the

MAY 28 1993

Federal Communications Commission
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the matter of:

Replacement of Part 90 by Part 88 to
Revise the Private Land Mobile Radio
Services and Modify the Policies
Governing Them

PR Docket No. 92-235

RECEIVED

MAY 28 1993

Comments of
The County of Orange, California

FCC MAIL BRANCH

The County of Orange, California, (County) respectfully submits the following comments in response to the Commission's Notice of Proposed Rule Making (NPRM) to revise and modify its Rules and Regulations affecting the Private Land Mobile Radio Services. These comments address specific issues that impact the County and its provision of Public Safety communications to the citizens within its boundaries.

Page numbers and paragraph numbers are those of the NPRM.

I. NPRM

Page 5, paragraph 13: The County believes that, due to the critical nature of Public Safety activities, some, if not most, Public Safety radio systems have a requirement for exclusivity, at least on a limited basis. This exclusivity requirement at times may even require a reduced loading criteria based on a showing of need.

Page 7, paragraph 17: The County SUPPORTS consolidation of the many existing radio services into three categories, with the provision that new licenses in the "Public Safety" service are reissued ONLY when the old licenses are modified, renewed, or expired (i.e., no other action required). This action would reduce the paperwork burden on the licensee, the frequency coordinators, and the Commission.

Page 8, paragraph 20: The County is entirely OPPOSED to the proposed power versus HAAT limitations. While it is generally true that the higher the transmitter antenna, the less power that is needed for a given field intensity, the County does make use of increased power at relatively high-altitude sites to ensure reliable coverage over difficult (i.e., mountainous) terrain, and

Page 9, paragraph 22: The County SUPPORTS open-architecture digital communication standards, such as APCO Project 25, provided that such standards are not to be mandated until the technology has matured to the point of becoming practically and economically available. No agency should be forced to adopt narrowband and/or digital equipment, especially in the present economic atmosphere. This proposal appears to be an attempt by the radio manufacturers to re-stimulate their own economy by selling new systems. Many full-time radio users, and most volunteer Public Safety radio users (e.g., volunteer firemen, reserve peace officers, search and rescue, civil defense, etc.) cannot justify the personal expenditure of the cost of "new, digital narrowband" radios, typically priced in the \$2000.00 range or above.

The purpose of legislation should be to regulate the use of technology, not to drive technology as this NPRM attempts to do.

A further consideration is to allow (if not require) analog transmissions on mutual aid frequencies, for the foreseeable future, to ensure interoperability among agencies with radio systems of different manufacture, as well as agencies that have not transitioned to a new digital system. A mandate for standardized narrowband mutual aid channel operations could be reconsidered when the current analog radios are no longer in use.

Page 9, paragraph 23: The spectrum designated for possible "innovative shared use" currently contains radio systems critical to the operation of this County. The County is therefore OPPOSED to any interleaving of "innovative" radio systems with Public Safety frequencies, unless such systems are operated on a secondary, non-interference basis relative to Public Safety. Interleaving other, non-Public Safety users would prohibit the effective use of such a block of newly-created frequencies by spectrum-efficient technology such as TDMA. "Innovative shared use" spectrum should be specifically provided in its own frequency bands.

Further, the County is OPPOSED to any interleaving of Public Safety and non-Public Safety services. It is recognized that some adjacent-channel tolerance will be necessary, as it is today, at the interfaces between blocks of frequencies serving different services.

Page 11, paragraph 27: The County SUPPORTS a general simplification of the Land Mobile Radio Service Rules and Regulations, including revision of the glossary and the addition of an index, as proposed.

II. APPENDIX A

Page 17, Innovative Shared Use: The County has no comment.

Page 19, EUO Eligibility: To limit speculation by SMRs, the County recommends that the "new channels" that may become available 01 January 1996 revert to the original service that was licensed on those channels.

Page 24, Itinerant and Temporary Operations: It has been the experience of the County that itinerant channels, especially those belonging to the business radio services, usually revert to unlicensed and quasi-legal "Citizen-Band-type" free-for-all, thus the County is OPPOSED to any increase in the number of itinerant channels.

Page 24, Limits on Shared Channels: The County SUPPORTS no substantive change to the existing rules. The County believes that the current limitation is both necessary and desirable with a view to preserving spectrum for future requirements. It should be necessary for all applicants to justify their requirements for additional channels.

Page 26, Power Limitations for Paging: The County SUPPORTS an increase in the allowable power outputs for paging operations for critical Public Safety applications, e.g., volunteer firefighter/paramedic and civil defense paging. The County has a request for special temporary authority pending with the Commission for such an increase in power. The power output should be determined to be the lowest amount of power that provides the needed coverage and reliability of communications as demonstrated by field tests, and should be discussed on a case-by-case basis.

Page 27, Spread Spectrum Operations: Spread Spectrum Operations: The County SUPPORTS the inclusion of direct-sequence spread spectrum (DSSS) systems for use in Public Safety covert operations. Although the County has limited experience with such

Page 63, 88.83(2)(i) and (3)(i): The County is OPPOSED to the requirement for a list of nearby radio systems. This proposed action would burden the County and the Commission with a woeful amount of pointless paperwork and recordkeeping, distracting the personnel from performing more critical duties of designing, operating and maintaining many elaborate radio systems. It is doubtful that the Commission will either use or verify the information proposed. Further, this requirement appears to be groundwork for the future limitation of the number and types of radio systems.

Page 67, 88.103(d): The County OPPOSES the change from sixty days back to thirty days for the resubmission of applications to the Commission. A specific example of a requirement for more than thirty days is the return of applications which require FAA notification. Such cases have rarely been concluded within thirty days in the County's experience.

Page 70, 88.135: The County is OPPOSED to any change of the current "slow growth" rules, as the ability to implement an extensive radio system rests on distributing the purchase and implementation costs of the equipment over several years. The "slow growth" rules should not become an aid to the hoarding of frequencies.

Page 72, 88.151: The County SUPPORTS the concept of conditional permits, with the provision that the frequency coordination activity performed for the permit is also valid for the formal license application. The County OPPOSES duplicative frequency coordination effort, due to both the internal time and money spent on the activity, as well as the time and money spent by the agencies the County serves.

Page 83, 88.235(b)(2): There appears to be a typographical error in the frequencies, since 816 and 856 MHz do not have a 45 MHz separation.

Page 85, 88.247(c): The County is OPPOSED to the proposed limitation of the number of 800 MHz conventional channels. The County requests a Public Safety exemption to this rule. In the near future, almost all public works and law enforcement communications will be conducted on the 800 MHz band, mostly in a trunked mode. However, the requirements of mutual aid and smaller cities within the County are such that any limitation of the number of conventional channels that are allowed to be licensed to a given entity would jeopardize reliable, life-saving communications.

Page 90, 88.305: The County believes that frequency coordination has been a beneficial process for the Public Safety community throughout the years. It SUPPORTS the continuance of this procedure. Further, to the extent possible, the County SUPPORTS the concept of a single frequency coordinator, as opposed to multiple frequency coordinators, for any given band of frequencies. In the County's experience, the use of multiple

frequency coordinators within a single band of "shared" frequencies has proven to be far less than ideal. The County SUPPORTS the designation of APCO for any Public Safety frequency band currently coordinated by APCO and for any new "shared" Public Safety frequency bands.

Project 25. The County SUPPORTS 12.5 kHz spacing as proposed
~~in 1990 Project 25~~

operated by many large cities, locally by the counties of Kern, San Diego, San Luis Obispo, and Santa Barbara, as well as statewide systems including the California State Police, and the Arizona Department of Public Safety. As a minimum, a Public Safety exemption is required for this band.

Page 257, 88.1029: The County is concerned that the quantity of mutual aid channels designated will be insufficient to support the requirements for interoperability among the nation's Public Safety providers. Many more channels than proposed are in operation today when considering the state and county mutual aid channels. The proposed change in the current mutual aid channels will also be disruptive as well as expensive.

In addition to having an adequate number of mutual aid channels, it is also important for operational plans to be

One severe example of this interference involved the County Sanitation Districts of Orange County, which operates its radio system on the frequency pair 453.375/458.375 MHz in the Local Government Radio Service. This frequency pair, and the interference from Mexico, were shared locally with the Cities of Escondido and Los Angeles. A new, properly authorized mobile relay radio station in Mexico initiated operations on this same frequency pair. However, the convention in Mexico utilizes the higher frequency of the pair as the mobile relay output and the lower frequency as the mobile relay input. Further, since the two countries do not utilize the same frequency bands for the same services, the new Mexican mobile relay station was intended for some sort of commercial use, and incorporated a multi-frequency continuous tone-controlled squelch system (CTCSS) panel with thirty-two different tones, to support thirty-two different users. The result was that whenever any of the three affected United States radio systems was activated, the systems would go through the Mexican mobile relay station and "squeal" until one of the stations would time-out.

The Mexican government declined to authorize a different frequency pair, nor to allow the frequency pair to be offset. It was only with the cooperation of the "Mixed Commission," which consists of Commission officials and their Mexican government counterparts, and the Mexican licensee that the interference problem was mitigated. But even then, it became necessary for the United States licensees to pay the cost of re-crystallizing the

comprehensive agreement designed to prevent costly interference of this nature before it occurs.

Even with frequency coordination, these cases of interference continue to occur. The agreed-upon decisions of the Mixed Commission need to be binding upon the Commission's Private Radio Bureau, as well as the Mexican Government, in order to protect frequency changes which are designed to permanently eliminate cases of interference, so when a problem gets "fixed," it will stay "fixed."

With Mexico, "refarming" represents an opportunity to at least double the number of channels available for use along the U.S.-Mexico border, thus opening an opportunity to finally resolve a currently intolerable and increasingly worsening problem. This situation's resolution also speaks to the choice of the 12.5/6.25 MHz approach to channel-splitting throughout the land mobile frequency bands because of the use both by Mexico and also by Canada of a 25-kHz channel allocation plan today.

The failure to go along with Mixed Commission decisions has made it reluctant for the Mexican Government to honor its end of the Mixed Commission bargains.

V. CONCLUSION

In closing, the County recommends that this NPRM be revisited with a close technical evaluation. The NPRM appears to first be driven by economic versus technical concerns and then by the radio manufacturing industry, instead of by the customers served. The current economic distress in which the County and the entire country is mired is not conducive to change that requires the disposal of perfectly serviceable radio equipment followed by the expenditure of large sums of money to purchase systems using new, unproven technologies that have not yet matured. It may be too early for rules governing this technology to be written. It is definitely too early to mandate this drastic a change. Whatever is finally adopted by the Commission must allow Public Safety flexibility to meet its mandated service in the current economy.

Respectfully submitted,

